

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

AERO MERIDIAN ASSOCIATES DP,  
d/b/a MORTON PLAZA, et al.

Plaintiffs,

v.

THE CITY OF DENISON, TEXAS, et al.

Defendants.

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CASE NO. 4:06cv457

**MEMORANDUM ADOPTING REPORT AND  
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On September 12, 2007, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Defendants' motion for summary judgment be GRANTED (Dkt. 26) and that all claims asserted by Plaintiffs Denison Club, Inc. and Denison Club Venture, Ltd. should be dismissed with prejudice and that Plaintiffs Denison Club, Inc., and Denison Club Venture, Ltd.'s motion for partial summary judgment (Dkts. 37 and 54) be DENIED accordingly.

The Court, having made a *de novo* review of the objections raised by Plaintiffs Denison Club, Inc. and Denison Club Venture, Ltd., is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and the objections of the Plaintiffs are without merit. Therefore, the court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and

conclusions of this court.

It is, therefore, **ORDERED** that Defendants' Motion for Summary Judgment (Dkt. 26) is **GRANTED**, Plaintiffs Denison Club, Inc., and Denison Club Venture, Ltd.'s Motion for Partial Summary Judgment (Dkts. 37 and 54) is **DENIED**, and all claims asserted by Plaintiffs Denison Club, Inc. and Denison Club Venture, Ltd. should be dismissed with prejudice.

**SO ORDERED.**

**SIGNED this 28th day of September, 2007.**

  
MICHAEL H. SCHNEIDER  
UNITED STATES DISTRICT JUDGE